Los Angeles County Sheriff's Department
Officer Involved Shooting

Report Date: 09/08/98	Bureau/Station/Facility: Century Station	Admin. Invest.? ☐	Hit? ☒

Incident Information

URN: 098-17665-2117-031	Date: 09/08/98 Time: 1250
City or Station: Lynwood	Nature of Incident: Deputies pursue a 211 Suspect vehicle which T/C's into fence. First deputy struggles with suspect on porch, gun discharges. Second deputy sees partner still struggling for gun with suspect and fires at suspect, apparently striking his partner.
Location: [redacted] Femwood Ave.	

Location Type (circle one or more):	Lighting (circle only one):	Incident Type (circle one or more):	Initiated by (circle only one):
Backyard Beach Business Freeway Industrial Park Parking Lot Residence Rural School **(Street)** Other: ______	Darkness **(Daylight)** Other Street Lights Weather (circle only one): **(Clear)** Cloudy Fog Rain Distance:	Accidental Armed Person Fleeing Suspect **(Foot Pursuit)** Gun Take Away Moving Vehicle Sniper/Ambush Startle **(Struggle Involved)** Traffic Stop Unarmed Person Unintentional Vehicle Pursuit Warrant Service	Arrest Warrant **(Call)** Observation One Person Unit Other Search Warrant Two Person Unit Prior Activity (circle only one): Detective Inmate Transport Other **(Routine Patrol)**
Total # of Shots Fired by Deputy: 2	Total # of Shots Fired by Suspect: 0	Other: ______	Aero Unit? ☒ Canine Unit? ☒

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (circle only one):	ShiftType (circle only one):
				EM PM Day	Regular Overtime Off Duty
				EM PM Day	Regular Overtime Off Duty
				EM PM Day	Regular Overtime Off Duty

Non-Employee Witnesses

Last Name		First Name		M.I.
Street Address	City	Zip Code	Work Ph	Home Ph
Last Name		First Name		M.I.
Street Address	City	Zip Code	Work Ph	Home Ph
Last Name		First Name		M.I.
Street Address	City	Zip Code	Work Ph	Home Ph

Supervisors

Employee #	Last Name	First Name	M.I.	(circle one or more):
[redacted]	Jaen	Carlos	A.	**(On Duty)** Present during shooting Witness to shooting Involved in shooting
[redacted]	McQuay	John	M.	**(On Duty)** Present during shooting Witness to shooting Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
[redacted]	Hamey	Martin	V.

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	Barron	Mario	P.

PSTD Use Only

SH # ______

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See Reverse

Officer Involved Shooting

URN: 098-17665-2117-031

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
09/08/98	1500	05/11/99	

Employee #	Last Name	First Name	M.I
[redacted]	Porlier	Clay	S.
[redacted]	Romero	Henry	M.
[redacted]	Rhambo	Cecil	W.

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED *(one code per block)*

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
E-1	S-2	PP					NN	
E-2	S-2	FH	BR	9	Y	Y	NN	
S-2	E-1	FH	BR	9			NN	

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See Front Side

Officer Involved Shooting
Involved Employee Information

URN: 098-17665-2117-031

Involved Employee

E 1

Employee # [redacted]	Last Name: Nicassio	First Name: Joseph	M.I.: E.
Sex: M Race: White	Rank: Deputy	Unit Assignment: COPS Team	Work Assignment (Unit #, Module, etc.): 219
ShiftTime (*circle only one*): EM PM (Day)	ShiftType (*circle only one*): (Regular) Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☒	Hospital Name: St. Francis Hospital	Coroner Case? ☐	Coroner Case #: — Interviewed? ☒
Hrs of sleep prior to shooting: 8	Duty Time (hrs): [redacted]	Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, (Uniform w/ Vest)	Other Factors:
Age: [redacted] Height: 6-00	Weight: 230		
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? ☒ Number of Prior Shootings: 1
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]
Field Training Officer Emp #	Last Name	First Name	M.I.

E 2

Employee # [redacted]	Last Name: Wicker	First Name: William	M.I.: C.
Sex: M Race: White	Rank: Deputy	Unit Assignment: COPS Team	Work Assignment (Unit #, Module, etc.): 219
ShiftTime (*circle only one*): EM PM (Day)	ShiftType (*circle only one*): (Regular) Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: — Interviewed? ☒
Hrs of sleep prior to shooting: 8	Duty Time (hrs): [redacted]	Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, (Uniform w/ Vest)	Other Factors:
Age: [redacted] Height: 5-10	Weight: 180		
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [redacted] Number of Prior Shootings: [redacted]
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]
Field Training Officer Emp #	Last Name	First Name	M.I.

E ___

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank:	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: — Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, Uniform w/ Vest	Other Factors:
Age: Height:	Weight:		
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ Number of Prior Shootings:
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

See Other Side

Officer Involved Shooting Suspect Information

URN: 098-17665-2117-031

Suspect Information

S 1

Last Name: [redacted]		First Name: [redacted]	M.I.: [redacted]
AKA Last Name:		First Name: [redacted]	M.I.:
Sex: M Race: Black	Street Address: [redacted]	City: [redacted]	State & Zip Code: [redacted]
Work Phone: [redacted]	Home Phone: [redacted]	Social Security #: [redacted]	Driver's License #:
Age: 17 D.O.B. [redacted]	Height: 6-01 Weight: 178	FBI #:	CII #:
Booking #: [redacted]	Primary Charge: 215 PC	Secondary Charge:	
Coroner Case? ☐	Coroner Case #:	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☒	Apprehended? ☒	Mental Illness? ☐	Criminal History? ☒
Vehicle Make: Acura		Model: Legend	Year: 1998

S 2

Last Name: Weathersby		First Name: Dwayne	M.I.: M.
AKA Last Name:		First Name:	M.I.:
Sex: M Race: Black	Street Address: [redacted]	City: [redacted]	State & Zip Code: [redacted]
Work Phone:	Home Phone: [redacted]	Social Security #: [redacted]	Driver's License #: [redacted]
Age: 19 D.O.B. 06/22/81	Height: 6-01 Weight: 170	FBI #:	CII #:
Booking #: 5787-908	Primary Charge: 664/187 PC	Secondary Charge:	
Coroner Case? ☐	Coroner Case #:	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☒	Apprehended? ☒	Mental Illness? ☐	Criminal History? ☒
Vehicle Make: Acura		Model: Legend	Year: 1998

S 3

Last Name: Debose		First Name: Willie	M.I.: H.
AKA Last Name:		First Name: "D"	M.I.:
Sex: M Race: Black	Street Address: [redacted]	City: [redacted]	State & Zip Code: [redacted]
Work Phone: [redacted]	Home Phone: [redacted]	Social Security #: [redacted]	Driver's License #: [redacted]
Age: 19 D.O.B. 01/18/79	Height: 6-00 Weight: 165	FBI #:	CII #:
Booking #: 5787-927	Primary Charge: 211 PC	Secondary Charge:	
Coroner Case? ☐	Coroner Case #:	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☒	Mental Illness? ☐	Criminal History? ☐
Vehicle Make: Acura		Model: Legend	Year: 1998

S 4

Last Name: Jackson		First Name: Donald	M.I.: C.
AKA Last Name:		First Name: "Smurf"	M.I.:
Sex: M Race: Black	Street Address: [redacted]	City: [redacted]	State & Zip Code: [redacted]
Work Phone: [redacted]	Home Phone: [redacted]	Social Security #: [redacted]	Driver's License #: [redacted]
Age: 18 D.O.B. 11/20/79	Height: 6-01 Weight: 150	FBI #: [redacted]	CII #: [redacted]
Booking #: 5788-172	Primary Charge: 211 PC	Secondary Charge:	
Coroner Case? ☐	Coroner Case #:	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☒	Mental Illness? ☐	Criminal History? ☒
Vehicle Make: Acura		Model: Legend	Year: 1998

INCIDENT SUMMARY

IAB SH1226479

On Tuesday, September 8, 1998, Lieutenant Cecil Rhambo and Sergeants Clay Porlier, Henry Romero, Donnie Mauldin and Larry Brogan of the Internal Affairs Bureau responded to [redacted] Fernwood Avenue in the City of Lynwood regarding a deputy involved shooting. Lieutenants Frank Merriman and Jim Curtis, Sergeant Ike Aguilar and Detective [redacted] from Homicide Bureau were on scene to conduct the criminal investigation.

The summary of this incident is based on information obtained from interviews of the involved employees and suspects, whose individual statements are contained in the Homicide Bureau case package (refer to Exhibit **A**). Refer to Exhibit **B** for photographs relating to the incident.

SUMMARY

On Tuesday, September 8, 1998 at 1250 hours, Deputy Michael Yocum working Century Unit 212A, received a robbery just occurred call. He met the victim, a MH/15, at Fir Street and the 105 Freeway overpass. He quickly gathered information for a preliminary broadcast, describing the suspect vehicle as green with a rear yellow paper plate, containing approximately four male blacks. Taken in the robbery was a gold bracelet and the weapon used was a small caliber semi automatic handgun.

As Deputy Yocum spoke further with the victim, another unit began to follow a vehicle that came back with a felony return from a DMV inquiry. Deputy Yocum left to assist the unit, telling the victim he would return shortly. When the traffic stop with the felony vehicle was safely concluded, Deputy Yocum returned to where he had left his victim but was unable to locate him. Since he did not have enough time to acquire the victim's address and phone number earlier, Deputy Yocum was left to checking the immediate area in an attempt to locate him.

At approximately 1348 hours while driving eastbound on Lynwood Road approaching Fir Street, Deputy Yocum saw a green, two door Acura with a rear yellow paper plate. Inside the vehicle he could see approximately four male blacks. Deputy Yocum felt unsure of how to handle the situation because he did not have a victim he could locate and he was not positive the vehicle in front of him was involved in the earlier robbery. Deputy Yocum went on L-Tac with his sister car, Unit 212, Deputy [redacted] and discussed what he had. Deputy [redacted] began driving toward Deputy Yocum's general vicinity. At the time, Deputy Yocum had not activated his overhead lights or siren, nor had he announced he was Code-9 on a possible 211 vehicle. Moments later, the vehicle suddenly stopped in front of [redacted]

The driver and front passenger immediately exited the car. Deputy Yocum, his gun drawn, ordered the two individuals to get back inside the car. At the same time, Deputy Yocum requested assistance via his hand-held radio, announcing he was detaining several 211 suspects at gunpoint. Instead of complying with Deputy Yocum's command, the two individuals became very uncooperative and

were soon joined by two other individuals from inside the car. Deputy Yocum continued to command the individuals to get back inside the vehicle. Eventually three of the four suspects got back inside the car, with the most uncooperative suspect (later identified as Suspect Jackson) remaining outside on the passenger side. Deputy Yocum now felt that the situation was "wrong." He sensed that Suspect Jackson may have been trying to draw his attention away so that the other suspects, partially concealed behind tinted windows, could possibly do him harm.

Deputy [redacted] arrived and found Suspect Jackson standing by the passenger side of the car, still refusing to cooperate. Deputy [redacted] ordered Suspect Jackson to place his hands on top of his head. Suspect Jackson quickly raised his hands above his head and at the same time the green Acura accelerated westbound on Beechwood Avenue to southbound California Street.

Deputy Yocum returned to his car and initiated a pursuit while Deputy [redacted] grabbed Suspect Jackson's hands which were now interlaced on top of his head and conducted a quick pat down search for weapons. Finding no weapons, Deputy [redacted] placed Suspect Jackson in his patrol car and followed Deputy Yocum. Due to the short delay caused by his search, Deputy [redacted] did not catch up to Deputy Yocum until the pursuit and shooting had terminated. Deputy [redacted] also said that he and Deputy Yocum have worked together often and have come to sense each other's actions. Although they did not communicate to each other when the pursuit first began, Deputy [redacted] said he felt comfortable being left with Suspect Jackson as Deputy Yocum sped off.

Deputies William Wicker and Joseph Nicassio, working COPS Unit 219, heard the pursuit and began responding from the 3500 block of Martin Luther King Blvd. They caught sight of the suspect vehicle as it turned from eastbound Mulford Avenue to southbound Birch Street, followed by Deputy Yocum at a distance of about five car lengths. Deputy Nicassio advised SCC they were the second car in the pursuit and would take over communications. The suspect vehicle continued south on Birch Street, then turned east onto Fernwood Avenue. It failed to stop at all stops signs and endangered the lives of several citizens along its path. Approaching Elm Street the driver of the suspect vehicle either lost control or failed to negotiate a turn, resulting in the vehicle driving up and over the northeast curb at Elm Street and Fernwood Avenue, crashing into a chain link fence and coming to rest at the steps to the front porch of [redacted] Fernwood Avenue.

Deputy Yocum stopped his patrol car behind and to the right of the suspect's vehicle. Deputy Wicker stopped their patrol car behind and to the left of the suspect's vehicle. The driver of the suspect's vehicle (later identified as Suspect Weathersby) exited the car and ran onto the front porch of the house. Deputy Nicassio exited the passenger side of the patrol car at nearly the same time and followed Suspect Weathersby onto the front porch as Deputy Wicker made sure his patrol car was fully parked. Deputy Yocum, seeing at least two suspects running east on Fernwood Avenue, began a foot pursuit in that direction.

As Deputy Nicassio arrived on the front porch with his gun drawn, Suspect Weathersby turned and faced him. Deputy Nicassio ordered him to get on the ground. Instead, Suspect Weathersby lunged forward and grabbed Deputy Nicassio's gun with both hands. As Deputy Nicassio struggled for his gun, he eventually let go of it with his left hand and attempted to push Suspect Weathersby away

while pulling the gun back with his right hand. Deputy Wicker, seeing his partner and Suspect Weathersby struggling for a gun, was just about to enter the porch area when Deputy Nicassio's gun discharged, the round striking the porch where it joined the wall. Deputy Nicassio attempted to hold onto Suspect Weathersby with his left hand while re-holstering his handgun, believing at this point that Suspect Weathersby was probably not armed. Suspect Weathersby in the mean time was saying that he had been shot. (The round had actually penetrated a fold in his shirt resulting in entrance and exit holes. It also knocked the top metal button off his jeans.)

Deputy Wicker, believing he had heard Deputy Nicassio say he had been shot, and fearing for his partner's safety as well as his own, decided to employ deadly force by firing his gun at Suspect Weathersby, but he had difficulty finding a suitable target area. Deputy Nicassio was now aware that Deputy Wicker was on the porch with him. Deputy Wicker finally saw Suspect Weathersby's right side presented so that he had a clear shot. Deputy Wicker fired one round at Suspect Weathersby who immediately discontinued struggling. Hearing the two gunshots from the area of the front porch, Deputy Yocum discontinued his foot pursuit and ran back to where Deputies Nicassio and Wicker had been.

Upon hearing the second gunshot, Deputy Nicassio immediately felt pain in his right arm. He looked at Deputy Wicker and from the look on Deputy Wicker's face, gathered that he may have been shot by him. Because Suspect Weathersby had quit struggling and Deputy Wicker seemed to have control of the situation, and because he felt he could no longer adequately defend himself, Deputy Nicassio retreated from the porch area, advising arriving units to help Deputy Wicker. Deputy Yocum arrived to find Deputy Nicassio walking away from the porch, bleeding from his right arm. He went to help Deputy Wicker with Suspect Weathersby and asked who had shot Deputy Nicassio. Deputy Wicker replied, "I shot him."

Deputy Nicassio was transported to St. Francis Hospital by fellow deputies where he was treated for a through and through gunshot wound to his right biceps. A containment was quickly established and the remaining suspects were apprehended a short while later.

An inoperative 25 caliber semi automatic handgun was recovered on the ground outside the passenger door of the Acura.

The second gunshot traveled through Deputy Nicassio's arm, through the heavy screened front security door and became lodged in the dirt of a potted plant inside the house. No other injuries were suffered by deputies, suspects or residents of the house.

[redacted]:	Convicted of 211 and 215 PC
Dwayne Weathersby:	Convicted of 148(D) and 32 PC
Don Jackson:	Not charged, insufficient evidence
Willie Debose:	Not charged, insufficient evidence